

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ZAACKS3

10/509913

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY CLAIMED

PCT/IL03/00301

April 10, 2003

April 24, 2002

TITLE OF INVENTION

CHROMATIC DISPERSION MEASUREMENT AND COMPENSATION

APPLICANT(S) FOR DO/EO/US

Mark R. ZAACKS et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ The US has been elected.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not transmitted by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
- ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - ☒ Courtesy copy of the first page of the International Publication (WO 03/092194 A1).
 - ☒ Application Data Sheet
 - ☒ Formal drawings, 4 sheets, Figures 1-3E.
 - ☒ Courtesy Copy of the International Search Report.
 - ☒ The application is (or will be) assigned to: ECI TELECOM LTD. whose address is 30 Hasivim Street, 49517 Petach Tikva, Israel.

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17. [xx] The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$ 1110.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$ 950.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$ 790.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$ 750.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4).....\$ 100.00 <p style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT = \$950.00</p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Claims as Originally Presented</th> <th style="width: 15%;">Number Filed</th> <th style="width: 15%;">Number Extra</th> <th style="width: 15%;">Rate</th> <th style="width: 10%;"></th> <th style="width: 15%;"></th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>16 - 20</td> <td></td> <td>X \$18.00</td> <td>\$</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>2- 3</td> <td></td> <td>X \$86.00</td> <td>\$</td> <td></td> </tr> <tr> <td>Multiple Dependent Claims (if applicable)</td> <td></td> <td></td> <td>+ \$290.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$950.00</td> <td></td> </tr> <tr> <td colspan="4">Reduction of ½ for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4">SUBTOTAL =</td> <td>\$950.00</td> <td></td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4">TOTAL NATIONAL FEE =</td> <td>\$950.00</td> <td></td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4">TOTAL FEES ENCLOSED =</td> <td>\$950.00</td> <td></td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">Amount to be refunded</td> <td style="text-align: center;">\$</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">charged</td> <td style="text-align: center;">\$</td> </tr> </tbody> </table> <p>a. [] A check in the amount of \$_____ to cover the above fees is enclosed. b. [X] Credit Card Payment Form (PTO-2038), authorizing payment in the amount of \$950.00, is attached. c. [] Please charge my Deposit Account No. 02-4035 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. d. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4035. A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>BROWDY AND NEIMARK, P.L.L.C. 624 NINTH STREET, N.W., SUITE 300 WASHINGTON, D.C. 20001 TEL: (202) 628-5197 FAX: (202) 737-3528 Date of this submission: October 4, 2004</p> <div style="position: relative; height: 100px;"> <div style="position: absolute; bottom: 0; right: 0; width: 100%;"> SIGNATURE _____ Jay M. Finkelstein _____ NAME _____ <u>21,082</u> _____ REGISTRATION NUMBER _____ </div> </div> <p style="text-align: right;">JMF:ccw</p>				Claims as Originally Presented	Number Filed	Number Extra	Rate			Total Claims	16 - 20		X \$18.00	\$		Independent Claims	2- 3		X \$86.00	\$		Multiple Dependent Claims (if applicable)			+ \$290.00	\$		TOTAL OF ABOVE CALCULATIONS =				\$950.00		Reduction of ½ for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.				\$		SUBTOTAL =				\$950.00		Processing fee of \$ 130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$		TOTAL NATIONAL FEE =				\$950.00		Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$ 40.00 per property +				\$		TOTAL FEES ENCLOSED =				\$950.00						Amount to be refunded	\$					charged	\$
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